

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SPECTRUM HEALTH HOSPITALS,

Case No: 1:22-cv-284
Hon. Paul L. Maloney

Plaintiffs,

-VS-

ACUITY, A MUTUAL INSURANCE
COMPANY,

Defendant.

MILLER JOHNSON
Ryan P. Duffy (P75178)
Attorneys for Plaintiff
45 Ottawa Avenue SW, Suite 1100
P.O. Box 306
Grand Rapids, MI 49501-0306
(616) 831-1716
duffy@millerjohnson.com

HARVEY KRUSE, P.C.
William F. Rivard (P36411)
Meriam V. Choulagh (P81072)
Attorneys for Defendant
1050 Wilshire Drive, Suite 320
Troy, MI 48084
(248) 649-7800
wrivard@harveykruse.com
mchoulagh@harveykruse.com

**DEFENDANT ACUITY'S, A MUTUAL INSURANCE COMPANY'S,
EXPERT WITNESS LIST**

Defendant, Acuity, A Mutual Insurance Company, by and through its attorneys, Harvey Kruse, P.C., pursuant to FRCP 26(a)(2)(A) discloses the following expert witnesses who may be called upon to testify at the time of trial.

1. Kenneth Easton, MD – orthopedic surgeon

It is anticipated that Kenneth Easton, MD. will testify that based upon his review of records and examination of Cindy Mulkerin, the July 30, 2021 and September 1, 2021 cervical spine surgeries and inpatient stays associated with those surgeries cannot reasonably be related to the motor vehicle accident of January 29, 2019.

2. Ferris Finerty, Jr. - Medical Bill Auditing Expert

It is anticipated that Mr. Finerty will testify that Plaintiff's charges for the services provided were unreasonable in amount based on the manner in which the billings were submitted, including without regard to the statutory limitation of 200% of what Medicare would pay for the services, lack of documentation of payments for hardware/implants, and the DRG methodology under which the July and September, 2021 charges were necessarily to be submitted.

3. Christian Schuette, Ph.D. – Neuropsychologist

It is at anticipated that Dr. Schuette will testify, if necessary, to his evaluation of Cindy Mulkerin from a neuropsychological perspective and the validity of conclusions reached by Ann Kremer, LMSW, regarding Cindy Mulkerin's neuropsychological status as relevant to this case, including the psychological and/or neuropsychological status of Cindy Mulkerin which may impact treatment decisions for her.

4. Defendant may rely on the testimony of treating doctors of Cindy Mulkerin, to include testimony of their examinations, diagnoses of Cindy Mulkerin, both before and after the motor vehicle, including but not limited:

- a. Steven Klafeta, MD, Neurosurgeon;
- b. Treating physicians at St. Mary Mercy Health Emergency Room shortly after the date of loss;
- c. Viet Do, MD, Hand Surgeon;
- d. Kory Johnson, DO, Orthopedic Associates of Michigan, regarding Cindy Mulkerin's right knee surgery, follow-ups;
- e. Dennis Gregory, PA, right knee surgery and follow-up;
- f. Kevin Wiersum, PAC, lumbar spine complaints, surgery and follow-up;
- g. David Norris, PAC, right knee surgery and follow-up for four cervical spine and/or lumbar spine surgeries;
- h. Joseph T. Brown, MD, treating orthopedic surgeon;
- i. Melonie Ice, MD, primary care physician.
- j. Ann Kremer, LSW, treating psychologist
- k. Draycen DeCator, Ph.D., licensed psychologist

The testimony of treating doctors will be in accord with their records of history, examination, diagnosis, treatment recommendations, and prognosis as set forth in their records.


5. Agents, representatives, employees, Corvel Corp may testify to applicable statutory limitations to plaintiff's recovery, and amounts that Medicare would pay for services rendered to plaintiff.

6. Henry Shevitz, M.D., medical bill auditor/utilization review, may testify to amounts reasonably payable for plaintiff's charges, including what Medicare would pay for those charges.

Defendant reserves the right to amend this list of experts as further facts become known in the course of discovery.

Respectfully Submitted,

HARVEY KRUSE, P.C.

By: 
WILLIAM F. RIVARD (P36411)
Attorney for Defendant
1050 Wilshire Drive, Suite 320
Troy, Michigan 48084-1526
(248) 649-7800
wrivard@harveykruse.com

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